



PUGET SOUND AIR POLLUTION CONTROL AGENCY
 KING COUNTY ▲ KITSAP COUNTY ▲ PIERCE COUNTY ▲ SNOHOMISH COUNTY

May 14, 1993

Certified Mail No. 762 670 929

Nathan A. Fernow
 Quality Control Manager, Western Region
 Ash Grove Cement Company
 3801 East Marginal Way, South
 Seattle, WA 98134

Dear Mr. Fernow:

Ash Grove Cement Company
 Order of Approval No. 3382 (NC 3382)
Notice of Violation No. 28893

The Agency has received your letter of May 7, 1993, including your emission control plan. Concerning your reference to the letter of July 8, 1992 to Condition No. 6. of the Order of Approval No. 3382 which requires Ash Grove to monitor emissions in accordance to Regulation I, Article 12, no Agency approval of the QA plan is specified in the special conditions of the Order of Approval. Sections 12.03(e) and (f) of Regulation I require the source to meet the conditions of 40 CFR Part 60, Appendix F and the quality assurance procedures in EPA 340/1-86-010. Copies of both of these documents were submitted to the source when the Order of Approval was granted. The Agency's letter of April 26, 1993 describes the emission requirements in the permit.

Our Agency letter of April 26, 1993 which responds to your letter of April 16, 1993 stated, "However, the letter does not include a schedule for conducting the performance source tests." This Agency letter also stated, "Before we can grant an extension or compliance schedule, you must submit a schedule of how you plan to achieve compliance with all provisions of your NC approval, including the applicable parts of 40 CFR 60 Subpart F." Your letter of May 7, 1993 states, "...please consider this letter notice of our intent to conduct the source performance test required by 40 CFR 60.8. The date will be June 17, 1993. This test will only cover the emission standards for portland cement plants, 40 CFR 60.62 (particulate and opacity)."

The Ash Grove letter of May 7, 1993 does not include a schedule for demonstrating compliance with "all the provisions of NC 3382."

The enclosed Notice of Violation is being issued for noncompliance with Regulation I, Section 3.11(b), Section 6.07(b), and Order of Approval No. 3382.

Anita I. Frankel, Air Pollution Control Officer

B O A R D O F D I R E C T O R S

Chairman: Win Granlund, Commissioner, Kitsap County
 Janet Chalupnik, Member at Large
 Tim Hill, King County Executive

Peter Hurley, Councilman, Snohomish County
 Pete Kingh, Mayor, Everett
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110 Union Street, Suite 500, Seattle, Washington 98101-2038 ▲ (206) 343-8800 ▲ (800) 552-3565 , FAX: (206) 343-7522

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Nathan A. Fernow
May 14, 1993
Page Two

Pursuant to Section 3.09 of Regulation I, Ash Grove is required to submit a written plan for meeting the conditions of Order of Approval No. 3382 within ten (10) days of receipt of this letter.

Violations of PSAPCA Regulations may subject Ash Grove to enforcement actions including, but not limited to, civil penalty assessments of up to \$10,300 per day per violation. In the case of a continuing violation each day's continuance is considered a separate and distinct violation.

You may contact me at 689-4055 if you have any questions.

Sincerely,



Fred L. Austin
Air Pollution Engineer

mj
Enclosure

cc: Myron Saikewicz, Ecology
Ann Pontius, EPA

bcc: J. L. Nolan
D. S. Kircher
J. M. Willenberg
H. J. Twomey
T. J. Hudson
R. G. Busterna

(206) 296-7330
1-800-552-3565PUGET SOUND AIR POLLUTION CONTROL AGENCY
200 West Mercer St. #205, Seattle, Washington 98119-3958

No. 28893

NOTICE OF VIOLATIONDate of Violation: May 7, 19 93 at _____ m.

| | | | |
|---|------------------------|--|---------------------|
| Name: <u>Ash Grove Cement Co</u> | | | |
| Source Location (Address) <u>3801 E Marginal Way S</u> | City <u>Seattle</u> | County <u>King</u> | Zip <u>98134</u> |
| Responsible Person, Owner or Agent, Title <u>Ken Rone Mgr of Plant</u> | | | |
| Mailing Address <u>Same</u> | | Telephone <u>623-5596</u> | |
| City, State, Zip | | Cert. Mail No. <u>P 762 670 929</u> | |

DID UNLAWFULLY CAUSE OR ALLOW VIOLATION OF:REGULATION I OF THE PUGET SOUND AIR POLLUTION CONTROL AGENCY

- | | |
|--|--|
| <input type="checkbox"/> Section 3.05 (b) - Right of Entry Refused | <input type="checkbox"/> Section 9.12 _____ - Odor and Nuisance Control Measures |
| <input type="checkbox"/> Section 6.03 (a) - Installation or Modification of Equipment Without a Permit | <input type="checkbox"/> Section 9.15 _____ - Fugitive Dust |
| <input type="checkbox"/> Section 8.02 _____ - Unlawful Outdoor Fire | <input type="checkbox"/> Section 9.20 _____ - Equipment Not Maintained in Good Working Order |
| <input type="checkbox"/> Section 9.03 (a) - Excess Opacity | <input type="checkbox"/> Sections <u>3.11(b), 6.07(b)</u> <u>&</u> |
| <input type="checkbox"/> Section 9.11 (a) - Detriment to Person or Property | |

WAC 173-201-010 PSAPCA Order of Approval No. 3382Description of Violation: Failure to meet condition of Regulation I
Section 3.11(b) Section 6.07(b) and Order of
Approval No. 3382 issued 6-19-90

| | | |
|------------------------------------|---------------------|---|
| Issued By <u>Paul L. Austin</u> | sent <u>5/14/93</u> | |
| On Behalf of <u>Paul J. Austin</u> | Date/Time | Person Receiving Notice |
| Air Pollution Control Officer | | Signing this Notice is not an admission of guilt. |

THIS VIOLATION MAY SUBJECT YOU TO PENALTIES UP TO \$1,000.00 PER DAY OR INJUNCTIVE ACTION. EACH DAY OF A CONTINUING OR REPEATED VIOLATION IS CONSIDERED A SEPARATE AND DISTINCT VIOLATION FOR PURPOSES OF ISSUANCE OF NOTICES AND ASSESSMENT OF PENALTIES.

CORRECTIVE ACTION NOTICE

Under the provisions of Section 3.09 of Regulation I and RCW 70.94.211 you are required to submit a written report within ten (10) days of receipt of this Notice describing the necessary corrective action you have taken or propose to take, including a schedule, to achieve continuous compliance with the regulations, and take the following necessary corrective action:

See letter